



1 September 2000

## ICTY WEEKLY UPDATE – 137

### PROCEDURAL DEVELOPMENTS:

#### L. OVERVIEW OF COURT PROCEEDINGS

##### **KVOČKA, KOS, RADIĆ, ŽIGIĆ & PRCAČ CASE (“OMARSKA & KERATERM CAMPS”)**

*Trial Chamber I – Judges Rodrigues (Presiding), Riad and Wald*

The Trial Chamber reconvened on Monday 28 August, entering its ninth week of hearings in the prosecution case-in-chief.

The first witness to be called this week, Mr. Sabit Murcehajić, testified about the attack on Kozarac in May 1992 when he and six other people were captured by soldiers wearing Yugoslav People's Army uniforms and eventually taken to the barracks at Benkovac. Mr. Murcehajić told the court that, upon their arrival at Benkovac, they were beaten and interrogated. The following day, Mr. Murcehajić was transferred to the Omarska camp.

Initially being held in the building known as the “garage”, Mr. Murcehajić was later also detained on the “pista”, in the “hangar building” and in “Mujo’s room”. The witness testified about how and what the prisoners were fed, the conditions they were held in, the beatings, the killings and the interrogations. The witness particularly testified that the “garage” was so crowded that the people had to stand on one foot. During his testimony, Mr. Murcehajić identified Kvočka, Radić and “Krle” as shift commanders at the camp. Mr Murcehajić was subsequently transported to Manjača on 6 August 1992.

On Tuesday 29 August, the court heard the testimony of protected prosecution witness “AE”, a former detainee at the Trnopolje camp. Witness “AE”, whose wife and children were also held at the Trnopolje camp, testified about living conditions at the camp including accommodation, food, water and hygiene facilities. Witness “AE” told the court that interrogations were carried out on a daily basis at the camp.

After 12 days witness “AE” was taken to the Prijedor barracks with Redo Grabić, and Labud Mujkanović where they were interrogated and then beaten. Eight days later Witness “AE” was taken from the barracks to the Keraterm camp. Upon his arrival at Keraterm, witness “AE” was beaten by Žigić and told the court that, during his time in the camp, he particularly noticed Knezević and Žigić because they beat people almost every day.

Witness “AE” was later taken back to the Trnopolje camp where he remained until 21 September 1992 when he was taken to Donji Vakuf as part of an exchange.

On Tuesday afternoon, the Trial Chamber held a status conference, partly in open session, to discuss, amongst other things:

- (1) the prosecution motion regarding the modification of the witness list, dated 21 August 2000;
- (2) the prosecution motion for protective measures, dated 21 and 28 August 2000;
- (3) Žigić’s motion of 20 August 2000 regarding the admission of an exhibit;
- (4) the consolidation of the indictment;
- (5) expert testimony; and
- (6) affidavits.

The status conference was concluded on Thursday afternoon. Decisions on the issues will be rendered in due course.

On Wednesday 30 August, Prosecution witness “AN” gave evidence about his arrest on 30 May 1992 and subsequent detention in the Omarska and Keraterm camps.

Witness “AN” told that court that, after he was arrested in Prijedor he and other people from the area were initially taken to the Omarska camp, however, there was no room at Omarska so they were returned to Prijedor and detained at the Keraterm complex.

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Witness "AN" testified that, during the four days of his detention at Keraterm, he witnessed the beating of detainees by Žigić, particularly Mr. Zerić, Samir Sistek and Ivo Sikura.

Eight to 10 days after his release, Witness "AN" was rearrested and eventually taken to Omarska where he was interrogated and held for 55 days. Witness "AN" told the court that, during his time at the camp he became aware of the positions of authority held by the accused. He identified Prcač as a deputy commander of the Omarska camp and second in command after commander Kvočka and Radić as the commander of a shift in the camp. Witness "AN" also testified that the guards at the camp were not punished despite beating and stealing from the prisoners and nobody ever tried to stop them, but merely encouraged them. Witness "AN" then went on to testify about the beatings and killings, particularly the killing of Sifet Ramadanović.

Witness "AN" was released from the Omarska camp on 6 August 1992 and taken to Manjaca where he was held for 100 days before being transferred to a collecting centre in Karlovac. In the meantime, his house and property had been requisitioned for the "Serb Republic".

The next witness, Mr. Abdulah Brkić was arrested on 30 May 1992 and taken by bus to the barracks on the outskirts of Prijedor by soldiers wearing the uniform of the former Yugoslav People's Army. From the barracks, Mr. Brkić was taken, via Keraterm, to Omarska and then again returned to Keraterm where he and others were initially beaten and then taken for interrogation. Mr. Brkić testified that Žigić was present at the camp every day during which time he took prisoners out to be mistreated.

The witness was held at the Keraterm camp until about 11 June 1992 and then taken to Omarska where he was beaten upon his arrival by Duca Knezević, in the presence of Žigić, and subsequently taken for interrogation.

Mr. Brkić spent 38 days at the area of Omarska known as the "pista" where he witnessed daily beatings and interrogations of prisoners. Mr Brkić gave details of the guard shifts and shift commanders in the camp and told the court that "Krkan's" shift was considered to be the worst because people would be beaten most. Mr. Brkić testified about the beating and killing of Rizah Hadzalić and that prisoners had to lay on their stomach for 16 hours without being able to raise their head.

On 7 August 1992, Mr. Brkić was taken from the Omarska camp to Manjača. His testimony concluded on Thursday 31 August.

On Friday 1 September, Mr. Abdulah Brkić was recalled by the defence for Žigić. The Trial Chamber completed the week's hearings with the testimony of Mr. Hase Icrc.

## COURTROOM SCHEDULE: 4 – 8 SEPTEMBER \*

### **MONDAY 4 SEPTEMBER**

Courtroom II    09:30 - 13:00, **Kordic/Cerkez**, Trial  
                  14:30 - 16:00, **Kordic/Cerkez**, Trial

### **TUESDAY 5 SEPTEMBER**

Courtroom II    09:30 - 13:00, **Kordic/Cerkez**, Trial  
                  14:30 - 16:00, **Kordic/Cerkez**, Trial  
Courtroom III   09:30 - 14:30, **Kvocka et al. Preac**, Trial

### **WEDNESDAY 6 SEPTEMBER**

Courtroom II    09:30 - 13:00, **Kordic/Cerkez**, Trial  
                  14:30 - 16:00, **Kordic/Cerkez**, Trial  
Courtroom III   09:30 - 14:30, **Kvocka et al. Preac**, Trial

### **THURSDAY 7 SEPTEMBER**

Courtroom II    09:30 - 13:00, **Kordic/Cerkez**, Trial  
                  14:30 - 16:00, **Kordic/Cerkez**, Trial  
Courtroom III   09:30 - 14:30, **Kvocka et al. Preac**, Trial

### **FRIDAY 8 SEPTEMBER**

Courtroom II    09:30 - 13:00, **Kordic/Cerkez**, Trial  
Courtroom III   09:30 - 14:30, **Kvocka et al. Preac**, Trial

Coverage of the proceedings in Courtroom II will be broadcast in the viewing area in the lobby.

\*The courtroom schedule is provisional and you are invited to check for last minute changes with the Public Information Services. Unless otherwise indicated, all sessions are open.

## PRESS RELEASES ISSUED SINCE 25 AUGUST:

| DATE       | NUMBER | TITLE                                     | E | F | B/C/S |
|------------|--------|---|---|---|-------|
| 30/08/2000 | 523    | REPORTED MURDER OF MILAN LEVAR IN CROATIA | E |   | B/C/S |

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